

**SUPREME COURT MINUTES  
WEDNESDAY, APRIL 28, 2004  
SAN FRANCISCO, CALIFORNIA**

**S109609**B152740 Second Appellate District,  
Division FiveE.M.M.I. INC v. ZURICH AMERICAN INSURANCE  
Rehearing denied

Kennard, J., Chin, J., and Brown, J., are of the  
opinion the petition should be granted.

**S123474**A097749 First Appellate District,  
Division FivePEOPLE v. MCGEE  
Petition for review granted

Respondent's petition for review granted.  
Appellant's petition for review denied.

Werdegar, J., was absent and did not participate.  
Votes: George, C.J., Kennard, Baxter, Chin,  
Brown, and Moreno, JJ.

**S123481**

C033758 Third Appellate District

MORNING STAR COMPANY v. STATE BOARD OF  
EQUALIZATION  
Petition for review granted

Werdegar, J., was absent and did not participate.  
Votes: George, C.J., Kennard, Baxter, Chin,  
Brown, and Moreno, JJ.

**S122744**

H025674 Sixth Appellate District

PEOPLE v. SAUNDERS  
Issues ordered limited

The issues to be briefed and argued are limited  
to the following: (1) Was defendant, as a  
passenger in a vehicle subjected to a traffic stop,  
thereby “detained” for purposes of the Fourth  
Amendment, thus allowing him to challenge the  
legality of the stop? (2) Could the vehicle be  
stopped on reasonable suspicion of Vehicle  
Code violations, including expired registration,  
where it exhibited an expired license plate  
registration tag, and had no front license plate,  
but also displayed what appeared from a  
distance to be a current temporary registration  
permit?

Werdegar, J., was absent and did not participate.

**S123023**

A086991 First Appellate District,  
Division Four

**HENLEY v. MORRIS**

Review granted/briefing deferred (rule 29.1)

Further action in this matter is deferred pending consideration and disposition of a related issue in *Simon dba Liberty Paper Company v. San Paolo U.S. Holding Co. Inc.* S121933 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Werdegar, J., was absent and did not participate.  
Votes: George, C.J., Kennard, Baxter, Chin, Brown, and Moreno, JJ.

**S122883**

E033515 Fourth Appellate District,  
Division Two

**BIGHORN-DESERT VIEW WATER AGENCY v.  
BERINGSON (KELLEY)**

Petition for review granted; transferred to CA 4/2

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and to reconsider the cause in light of *Richmond v. Shasta Community Services District* (2004) 32 Cal.4th 409. (Cal. Rules of Court, rule 29.3(d).)

Werdegar, J., was absent and did not participate.  
Votes: George, C.J., Kennard, Baxter, Chin, Brown, and Moreno, JJ.

**S122952**

F044541 Fifth Appellate District

**SONS v. S.C. (PEOPLE)**

Review granted; transferred to CA 5 to issue alt. writ

The matter is transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its order denying prohibition and to issue an alternative writ to be heard before that court when the proceeding is ordered on calendar.

Baxter, J., was recused and did not participate.  
Werdegar, J., was absent and did not participate.  
Votes: George, C.J., Kennard, Brown, and Moreno, JJ.

**S116409**

A097514 First Appellate District,  
Division Three

## PEOPLE v. MORROW

Dismissed per rule 29.3(b).

Werdegar, J., was absent and did not participate.  
Votes: George, C.J., Kennard, Baxter, Chin,  
Brown, and Moreno, JJ.

**S119544**

A100018 First Appellate District,  
Division One

## PEOPLE v. BRINAR

Dismissed per rule 29.3(b).

Werdegar, J., was absent and did not participate.  
Votes: George, C.J., Kennard, Baxter, Chin,  
Brown, and Moreno, JJ.

**S122700**

A105436 First Appellate District,  
Division Four

## SCOTT (STERLING B.) ON H.C.

Petition for review denied

Brown, J., was recused and did not participate.  
Werdegar, J., was absent and did not participate.

**S122745**

B172621 Second Appellate District,  
Division Three

NORTHWESTERN MUTUAL LIFE v. S.C.  
(MCKENDRY)

Petition for review denied

Werdegar, J., was absent and did not participate.

**S122746**

B172713 Second Appellate District,  
Division Five

## VILLEGAS (ELEAZAR) ON H. C.

Petition for review denied

Werdegar, J., was absent and did not participate.

**S122783**

A101860 First Appellate District,  
Division Five

## TURNER v. KINKO'S INCORPORATED

Petition for review denied

Werdegar, J., was absent and did not participate.

**S122906**

B163221 Second Appellate District,  
Division Seven

## SANAI v. SALTZ

Petition for review denied

Werdegar, J., was absent and did not participate.

**S122918**

B171701 Second Appellate District,  
Division Six

FORREST v. W.C.A.B. (LINOLEUM STUDIOS)  
Petition for review denied

Werdegar, J., was absent and did not participate.

**S122963**

B162350 Second Appellate District,  
Division Six

CHILDS v. COUNTY OF SANTA BARBARA  
Petition for review & depublication request denied

Baxter, J., Chin, J., and Brown, J., are of the  
opinion the petition should be granted.

**S122980**

C040251 Third Appellate District  
C040742

PEOPLE v. RICHARDSON  
Petitions for review denied

Werdegar, J., was absent and did not participate.

**S122995**

H025592 Sixth Appellate District

BREWER v. SWAN MAGNETICS, INC.  
Petition for review denied

Werdegar, J., was absent and did not participate.

**S123024**

B161299 Second Appellate District,  
Division Four

PEOPLE v. MILES  
Petition for review denied

Werdegar, J., was absent and did not participate.

**S123038**

D040637 Fourth Appellate District,  
Division One

RANCHO SANTA FE ASSN v. DOLAN-KING  
Petition for review denied

Werdegar, J., was absent and did not participate.

**S123092**

C042470 Third Appellate District

PEOPLE v. DAMPIER  
Petition for review denied

Werdegar, J., was absent and did not participate.

**S123103**

B168799 Second Appellate District,  
Division Seven

PEOPLE v. WILLIAMS  
Petition for review denied

Werdegar, J., was absent and did not participate.

**S123141**

H024672 Sixth Appellate District

## PEOPLE v. CARSON

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123170**A101347 First Appellate District,  
Division Two

## PEOPLE v. HOLIAN

Petition for review denied

Kennard, J., and Chin, J., are of the opinion the  
petition should be granted.  
Werdegar, J., was absent and did not participate.**S123178**B161819 Second Appellate District,  
B167280 Division One

## PEOPLE v. WATSON

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123207**D043781 Fourth Appellate District,  
Division One

## JUSTICE, ESTATE OF

Petition for review denied

Baxter, J., was recused and did not participate.  
Werdegar, J., was absent and did not participate.**S123231**B172659 Second Appellate District,  
Division Three

## BREWER (RYAN LYNSEY) ON H.C.

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123262**H026571 Sixth Appellate District  
H026053

## MARTINEZ (MARIO) ON H.C.

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123298**B167228 Second Appellate District,  
Division Five

## LOS ANGELES v. C., MITCHELL

Petition for review denied

Request for judicial notice denied.

Werdegar, J., was absent and did not participate.

**S123332**

E035088 Fourth Appellate District,  
Division Two

HARRISON (DAVE) ON H.C.  
Petition for review denied

Werdegar, J., was absent and did not participate.

**S123342**

C044785 Third Appellate District

PEOPLE v. MARSHMAN  
Petition for review denied

Kennard, J., is of the opinion the petition should  
be granted.

Werdegar, J., was absent and did not participate.

**S123371**

C042104 Third Appellate District

PEOPLE v. FERRANDO  
Petition for review denied

Werdegar, J., was absent and did not participate.

**S123373**

G032013 Fourth Appellate District,  
Division Three

PEOPLE v. BOWIE  
Petition for review denied

Werdegar, J., was absent and did not participate.

**S123374**

B162367 Second Appellate District,  
Division Seven

PEOPLE v. RIVERA  
Petition for review denied

Werdegar, J., was absent and did not participate.

**S123380**

B165475 Second Appellate District,  
Division Seven

PEOPLE v. VANEGAS  
Petition for review & depublication request denied

Baxter, J., is of the opinion the petition should  
be granted.

Werdegar, J., was absent and did not participate.

**S123395**

D042158 Fourth Appellate District,  
D043237 Division One

PEOPLE v. HIGGINS  
Petition for review denied

Werdegar, J., was absent and did not participate.

**S123398**

G031757 Fourth Appellate District,  
Division Three

PEOPLE v. PRICE

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123401**

B165098 Second Appellate District,  
Division One

PEOPLE v. CANO

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123403**

H025668 Sixth Appellate District

PEOPLE v. MILLER

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123404**

E032940 Fourth Appellate District,  
Division Two

PEOPLE v. SUMMERS

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123413**

A090177 First Appellate District,  
Division Two

PEOPLE v. HERNANDEZ

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123415**

A102598 First Appellate District,  
Division Two

HERNANDEZ (RAMON) ON H.C.

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123416**

C040386 Third Appellate District

PEOPLE v. MORRIS

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123426**

E032867 Fourth Appellate District,  
Division Two

PEOPLE v. PITTS

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123446**

C044417 Third Appellate District

ADIONG v. CALIFORNIA YOUTH AUTHORITY  
Petition for review denied

Request for judicial notice denied.

Werdegar, J., was absent and did not participate.

**S123448**B173084 Second Appellate District,  
Division ThreeEDWARDS (DAVIDO A.) ON H.C.  
Petition for review denied

Werdegar, J., was absent and did not participate.

**S123456**E033394 Fourth Appellate District,  
Division TwoPEOPLE v. CAVALIER  
Petition for review denied

Werdegar, J., was absent and did not participate.

**S123467**

H026237 Sixth Appellate District

FRAZIER (THELMA LOUISE),  
CONSERVATORSHIP OF  
Petition for review denied

Werdegar, J., was absent and did not participate.

**S123471**A105731 First Appellate District,  
Division FourGARDNER DENVER, INC. v. S.C. (WINGER)  
Petition for review denied

Werdegar, J., was absent and did not participate.

**S123478**D037871 Fourth Appellate District,  
Division OneS. (SHARON) v. S.C. (ANNETTE F.)  
Petition for review denied

Werdegar, J., was absent and did not participate.

**S123480**

H024978 Sixth Appellate District

PEOPLE v. GONZALES  
Petition for review denied

Werdegar, J., was absent and did not participate.

**S123485**B167175 Second Appellate District,  
B169758 Division SevenPEOPLE v. GREEN  
Petition for review denied

Werdegar, J., was absent and did not participate.



**S123489**

F041968 Fifth Appellate District

## PEOPLE v. OVERSTREET

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123490**B161653 Second Appellate District,  
Division Eight

## PEOPLE v. JACKSON

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123492**

C042735 Third Appellate District

## PEOPLE v. MITCHELL

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123498**

F041764 Fifth Appellate District

## PEOPLE v. PALOMINO

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123507**B163555 Second Appellate District,  
Division Six

## PEOPLE v. ELDREDGE

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123518**

F043197 Fifth Appellate District

## V. (EDUARDO), IN RE

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123519**

F041853 Fifth Appellate District

## PEOPLE v. GOMEZ

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123520**A105116 First Appellate District,  
Division Three

## SAN MATEO COUNTY TRANSIT DIST v. WCAB

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123521**

F041823 Fifth Appellate District

TAA v. STINSON-PARPIA, INC.

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123526**B163501 Second Appellate District,  
Division Eight

PEOPLE v. VALDIVIA

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123528**B167847 Second Appellate District,  
Division Seven

PEOPLE v. AUNCHMAN

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123529**B164492 Second Appellate District,  
Division Seven

PEOPLE v. SECREST

Petitions for review denied

Werdegar, J., was absent and did not participate.

**S123532**

F042293 Fifth Appellate District

PEOPLE v. TAMEZ

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123534**B162327 Fourth Appellate District,  
Division Three

PEOPLE v. LONG

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123535**B163794 Second Appellate District,  
Division Six

PEOPLE v. MCELROY

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123544**B163776 Second Appellate District,  
Division Four

PEOPLE v. NEVAREZ

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123550**

A103184 First Appellate District,  
Division Four

## PEOPLE v. ROMERO

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123556**

G031953 Fourth Appellate District,  
Division Three

## PEOPLE v. VASQUEZ

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123558**

G031204 Fourth Appellate District,  
Division Three

## PEOPLE v. THOMAS

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123560**

G031766 Fourth Appellate District,  
Division Three

## PEOPLE v. LUNA

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123563**

B164960 Second Appellate District,  
Division Eight

## PEOPLE v. JOZWIAK

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123564**

E033120 Fourth Appellate District,  
Division Two

## PEOPLE v. RUF

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123572**

E032846 Fourth Appellate District,  
Division Two

## SIFUENTES v. CALIFORNIA, STATE OF

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123573**

F042471 Fifth Appellate District

## PEOPLE v. GOMEZ

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123576**

B162895 Second Appellate District,  
Division Eight

## PEOPLE v. MOORE

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123577**

H025761 Sixth Appellate District

## PEOPLE v. DIAZ

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123579**

F041804 Fifth Appellate District

## PEOPLE v. JONES

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123582**

H025345 Sixth Appellate District

## PEOPLE v. HOWELL

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123585**

G033377 Fourth Appellate District,  
Division Three

## MESERVE v. S.C. (REDDI)

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123586**

B163949 Second Appellate District,  
Division One

## PEOPLE v. SIMMONS

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123588**

B151421 Second Appellate District,  
Division Seven

## PEOPLE v. HUNTLEY

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123589**

G031620 Fourth Appellate District,  
Division Three

## PEOPLE v. BARBER

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123599**

F041287 Fifth Appellate District

## PEOPLE v. ROBERTS

Petition for review denied

Baxter, J., was recused and did not participate.  
Werdegar, J., was absent and did not participate.

**S123608**

F041826 Fifth Appellate District

## PEOPLE v. LIVERMORE

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123613**

F042757 Fifth Appellate District

## PEOPLE v. SIMAS

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123619**

H023965 Sixth Appellate District

## PEOPLE v. SALCIDO

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123620**A101567 First Appellate District,  
Division Two

## TERRELL v. ALLRED

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123626**REDEVELOPMENT AGENCY OF SAN DIEGO v.  
OHLRICH (ATTISHA)

Petition for writ of mandate/prohibition denied

Werdegar, J., was absent and did not participate.

**S123634**B164190 Second Appellate District,  
Division Eight

## BERNSTEIN v. DACORSI

Petition for review denied

Werdegar, J., was absent and did not participate.

**S123647**EDWARDS v. COURT OF APPEAL, 2ND DISTRICT  
(PEOPLE)

Petition for writ of mandate/prohibition &amp; stay denied

Werdegar, J., was absent and did not participate.

**S123656**

## PEOPLE v. KING

H025782 Sixth Appellate District

Petition for review denied

Werdegar, J., was absent and did not participate.

**S124072**

A106126 First Appellate District,  
Division Three

THE PEOPLE v. S.C. (SCANLAN)

Petition for review denied

The stay of proceedings in *People v. Scanlan*, San Mateo Superior Court No. SC-53709, issued on April 15, 2004, is hereby dissolved.

Werdegar, J., was absent and did not participate.

**S124098**

C046429 Third Appellate District

WALKER v. S.C. (PEOPLE)

Petition for review and application for stay denied

The stay of the order issued in Sacramento County Superior Court No. 04SP00008, authorizing examination of attorney files and records in *In re Search Warrant No. 04SW0164*, is hereby dissolved.

Werdegar, J., was absent and did not participate.

**S124139**

B174500 Second Appellate District,  
Division Six

MODROVICH v. S.C. (MEDICAL ANALYSIS)

Petition for review and application for stay denied

Werdegar, J., was absent and did not participate.

**S124153**

H026861 Sixth Appellate District

DEPT OF DEVELOPMENTAL SERVICES v. GOLIN

Petition for review and application for stay denied

Werdegar, J., was absent and did not participate.

**S124167**

F044674 Fifth Appellate District

A. (GERARDO), IN RE

Petition for review and application for stay denied

Baxter, J., was recused and did not participate.  
Werdegar, J., was absent and did not participate.

**S108713**

HARRISON (CEDRIC S.) ON H.C.  
Petition for writ of habeas corpus denied

Petitioner's "Petition/Request for Appointment of Appellant Counsel for the Preparation & Filing of Habeas Corpus Petition(s) & Other Ancillary Pleadings in the California Supreme Court," treated as a petition for writ of habeas corpus petition seeking appointment of habeas corpus counsel, is denied as moot.

Werdegarr, J., was absent and did not participate.

**S116791**

JOINTER (MICHAEL A.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218.)

Werdegarr, J., was absent and did not participate.

**S117286**

COBB (PABLO A.) ON H.C.  
Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

**S117384**

FAUSTINO (CHRISTONE E.) ON H.C.  
Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

**S117413**

FORD (LEVI) ON H.C.  
Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

**S117463**

VARGAS (MARIA DEL CARMEN) ON H.C.  
Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

**S118047**

COCHRAN (MAC D.) ON H.C.  
Petition for writ of habeas corpus denied

Werdegarr, J., was absent and did not participate.

**S118053**

ZACHARIE (CHARLES) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

Werdegarr, J., was absent and did not participate.

**S118054**

HECKER (ROBERT ALAN) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

Werdegarr, J., was absent and did not participate.

**S118063**

FOSTER (ROBERT B.) ON H.C.  
Petition for writ of habeas corpus denied

See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

Werdegarr, J., was absent and did not participate.

**S118076**

ACUNA (VICTOR MANUEL) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

Werdegarr, J., was absent and did not participate.

**S118094**

NOYES (LYNN) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

Werdegarr, J., was absent and did not participate.



**S118096**

CORTEZ (LUIS) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Lindley* (1947) 29 Cal.2d 709; *In re Waltreus* (1965) 62 Cal.2d 218.)

Werdegar, J., was absent and did not participate.

**S118130**

ADKINS (TRAVON) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756.)

Werdegar, J., was absent and did not participate.

**S118135**

FOWLER (JOHNNY R.) ON H.C.

Petition for writ of habeas corpus denied

Werdegar, J., was absent and did not participate.

**S118138**

BENEGAS (LUIS) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Lindley* (1947) 29 Cal.2d 709; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756.)

Werdegar, J., was absent and did not participate.

**S118155**

JONES (JULIUS) ON H.C.

Petition for writ of habeas corpus denied

Werdegar, J., was absent and did not participate.

**S118160**

CLEMENTS (DALE) ON H.C.

Petition for writ of habeas corpus denied

Werdegar, J., was absent and did not participate.

**S118263**

MENDEZ (JAVIER) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)

Werdegar, J., was absent and did not participate.

**S118284**

BAABBAD (ABDULLA) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

Werdegar, J., was absent and did not participate.

**S118315**

GUZMAN (MISAEL) ON H.C.

Petition for writ of habeas corpus denied

Werdegar, J., was absent and did not participate.

**S119101**

CLEMENTS (DALE) ON H.C.

Petition for writ of habeas corpus denied

Werdegar, J., was absent and did not participate.

**S121110**

MEANS (IRA L.) ON H.C.

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

Werdegar, J., was absent and did not participate.

**S121250**

POLYKRONIS (ROBERT S.) ON H.C.

Petition for writ of habeas corpus denied

Werdegar, J., was absent and did not participate.

**S122550**

MORGAN (JONATHAN) ON H.C.  
Petition for writ of habeas corpus denied

Werdegar, J., was absent and did not participate.

**S123455**

VOGEL (WILLIAM MICHAEL) ON H.C.  
Petition for writ of habeas corpus denied

Werdegar, J., was absent and did not participate.

**S123663**

JACKSON (AL TYRONE) ON H.C.  
Petition for writ of habeas corpus denied

Werdegar, J., was absent and did not participate.

**S123775**

KENNEDY (SEAN) ON H.C.  
Petition for writ of habeas corpus denied

Werdegar, J., was absent and did not participate.

**S124048**

STANLEY (JERRY) ON H.C.  
Petition for writ of habeas corpus denied

Petition for writ of habeas corpus, filed April 12, 2004, is DENIED.

Werdegar, J., was absent and did not participate.

**S122834**

G023025 Fourth Appellate District,  
Division Three

HARTSTEIN v. BOARD OF RETIREMENT  
Publication request denied (case closed)

Werdegar, J., was absent and did not participate.

**S122835**

B166245 Second Appellate District,  
Division Four

SMITH v. SULLIVAN  
Publication request denied (case closed)

Werdegar, J., was absent and did not participate.

**S123078**

B159011 Second Appellate District,  
Division Three

## LOCKHEED LITIGATION CASES

Depublication requests denied (case closed)

Werdegar, J., was absent and did not participate.

**S123307**

H025790 Sixth Appellate District

## SINGER (ROBERT) ON H.C.

Publication requests denied (case closed)

Werdegar, J., was absent and did not participate.

**S123433**

INTERINSURANCE EXCHANGE OF THE  
AUTOMOBILE CLUB OF SO. CAL. v. FELDER  
Publication request denied (case closed)

Werdegar, J., was absent and did not participate.

**S123516**

A100075 First Appellate District,  
A100279 Division Five

MATEEL ENVIRONMENTAL JUSTICE FDN.v.  
EDMUND A. GRAY CO.

Partial depublication request denied (case closed)

Werdegar, J., was absent and did not participate.

**S029588**

PEOPLE v. RICHARDSON (CHARLES)

Extension of time granted

to June 30, 2004 to file appellant's opening brief.  
Extension is granted based upon counsel  
Richard Jay Moller's representation that he  
anticipates filing that brief by 6/30/2004. After  
that date, no further extension will be granted.

**S042660**

PEOPLE v. DEMENT (RONNIE D.)

Extension of time granted

to June 28, 2004 to file appellant's opening brief.  
The court anticipates that after that date, only  
two further extensions totaling about 120  
additional days will be granted. Counsel is  
ordered to inform his or her supervising  
attorney, if any, of this schedule, and to take all  
steps necessary to meet it.

**S051342**

PEOPLE v. CUNNINGHAM (JOHN)

Extension of time granted

to June 18, 2004 to file appellant's opening brief. After that date, only two further extensions totaling about 120 additional days will be granted. Extension is granted based upon counsel Richard P. Stookey's representation that he anticipates filing that brief by 10/23/2004.

**S052808**

PEOPLE v. GAMACHE (RICHARD C.)

Extension of time granted

to June 2, 2004 to file appellant's opening brief. Extension is granted based upon counsel Richard Jay Moller's representation that he anticipates filing that brief by 6/2/2004. After that date, no further extension will be granted.

**S055528**

PEOPLE v. BARNWELL (LAMAR)

Extension of time granted

to June 22, 2004 to file appellant's opening brief. After that date, only two further extensions totaling about 105 additional days will be granted. Extension is granted based upon Deputy State Public Defender Caroline R. Lange's representation that she anticipates filing that brief by 10/6/2004.

**S058537**

PEOPLE v. COLLINS (SCOTT FORREST)

Extension of time granted

to June 25, 2004 to file respondent's brief. Extension is granted based upon Deputy Attorney General Theresa A. Patterson's representation that she anticipates filing that brief by 6/25/2004. After that date, no further extension is contemplated.

**S059653**

PEOPLE v. MILLS (JEFFERY JON)

Extension of time granted

to June 22, 2004 to file appellant's opening brief. After that date, only two further extensions totaling about 120 additional days will be granted. Extension is granted based upon counsel James M. Fahey's representation that he anticipates filing that brief by 10/2004.

**S060500**

PEOPLE v. D'ARCY (JONATHAN D.)

Extension of time granted

to June 28, 2004 to file appellant's opening brief.

**S070250**

PEOPLE v. JOHNSON (MICHAEL)

Extension of time granted

to June 23. /2004 to file appellant's opening brief. The court anticipates that after that date, only five further extensions totaling about 300 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S072949**

PEOPLE v. BRASURE (SPENCER R.)

Extension of time granted

to June 25, 2004 to file appellant's opening brief. The court anticipates that after that date, only three further extensions totaling about 180 additional days will be granted. Counsel is ordered to inform his or her supervising attorney, if any, of this schedule, and to take all steps necessary to meet it.

**S075616**

PEOPLE v. GONZALES & SOLIZ

Extension of time granted

to June 18, 2004 to file appellant Michael Soliz's opening brief. The court anticipates that

after that date, only four further extensions totaling about 240 additional days will be granted. Counsel is ordered to inform his or her supervising attorney, if any, of this schedule, and to take all steps necessary to meet it.

**S115318**

YOUNG (ROBERT) ON H.C.  
Extension of time granted

to June 2, 2004 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only three further extensions totaling about 90 additional days are contemplated. Extension is granted based upon counsel Wesley A. Van Winkle's representation that he anticipates filing that document by 9/1/2004.

**S119946**

DUNKLE (JON SCOTT) ON H.C.  
Extension of time granted

to May 24, 2004 to file the informal response to the petition for writ of habeas corpus. Extension is granted based upon Supervising Deputy Attorney General Rene A. Chacon's representation that he anticipates filing that document by 5/24/2004. After that date, no further extension will be granted.

**S120980**

MONTERROSO (CHRISTIAN) ON H.C.  
Extension of time granted

to May 26, 2004 the reply to the informal response to the petition for writ of habeas corpus. After that date, only five further extensions totaling about 150 additional days will be granted. Extension is granted based upon counsel Jeannie R. Sternberg's representation that she anticipates filing that document by 10/22/2004.

**S032736**

PEOPLE v. BOYETTE (MAURICE)  
Withdrawal of counsel allowed by order

Good cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for condemned prisoner Maurice Boyette, filed April 7, 2004, is granted.

The order appointing the State Public Defender as counsel of record for condemned prisoner Maurice Boyette, filed August 9, 2000, is hereby vacated.

Lynne S. Coffin is hereby appointed attorney of record for condemned prisoner Maurice Boyette. Counsel is appointed for purposes of all postconviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

Werdegarr, J., was absent and did not participate.

**S065233**

PEOPLE v. SMITH (FLOYD)  
Record augmentation denied

Appellant's motion to augment the record, filed on April 13, 2004, is denied.

Werdegarr, J., was absent and did not participate.

**S030553**

PEOPLE v. WILLIAMS (GEORGE)  
Order filed

Due to clerical error, the order filed in the above matter on April 23, 2004, is amended to read as follows:

Good cause appearing, and based upon counsel Daniel N. Abrahamson's representation that he anticipates filing the appellant's opening brief by September 14, 2004, counsel's request for an extension of time in which to file that brief is granted to June 14, 2004. After that date, only two further extensions totaling 95 additional days will be granted.



**S105058**

A081492 First Appellate District,  
A088117 Division Three

**PEOPLE v. CAVITT**  
Orders filed (2)

- (1) permission granted for two counsel to present oral argument for appellants.
- (2) permission granted for division of oral argument time: 20 min to atty Neil Rosenbaum for appellant Cavitt and 10 min to Paul Carroll for appellant Williams.

**S105600**

A093450 First Appellate District,  
Division Two

**BORISSOFF v. TAYLOR & FAUST**  
Orders filed (2)

- (1) permission granted for two counsel to present oral argument for respondents.
- (2) permission granted for division of oral argument time: 10 minutes to attorney Joseph Joiner for respondent McGovern and 20 minutes to attorney James Krieg for respondent Taylor.

**S114715**

B151534 Second Appellate District,  
Division Seven

**FLETCHER v. DAVIS**  
Orders filed (2)

- (1) permission granted for two counsel to present oral argument for respondents.
- (2) permission granted for division of oral argument time: 20 minutes to Kathryn Davis for respondent Carlyle Davis and 10 minutes to respondent Joseph Fischbach (in pro per).

**S124320****SINTAY v. S.C. (PEOPLE)**  
Transferred to CA 2

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition shall be denied.

**SUPREME COURT CALENDAR  
SAN FRANCISCO SESSION  
MAY 24, 25, 26, and 27, 2004**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom, located at 350 McAllister Street, Fourth Floor, San Francisco, California, on May 24, 25, and 27, 2004.

MONDAY, MAY 24, 2004 – 9:00 A.M

S113136	Bronco Wine Company v. Jolly - ( <i>Werdegarr, J., not participating; Swager, J., assigned Justice Pro Tempore.</i> )
S119948	People v. Ault
S118034	People v. Robertson

1:30 P.M.

S111662	People v. Montoya
S011960	People v. Cynthia Lynn Coffman and James Gregory Marlow (Automatic Appeal)
S026614	People v. James Marlow (Automatic Appeal)

TUESDAY MAY 25, 2004 – 9:00 A.M.

S122923	Lockyer v. City of San Francisco
S122865	Lewis v. Alfaro
S067491	In re Ronald Seaton on Habeas Corpus

1:30 P.M.

S115654	Kulshrestha v. First Union Commercial Corporation
S115998	People v. Langston
S087243	People v. John George Brown (Automatic Appeal) - ( <i>George, C. J., not participating; Stein, J., assigned Justice Pro Tempore.</i> )

WEDNESDAY, MAY 26, 2004 – 9:00 A.M.

S101836	In re the Marriage of Harris
S050142	In re Larry Lucas on Habeas Corpus
S115438	People v. Barker

1:30 P.M.

S120474	People v. American Contractors
S114399	People v. Leal
S027766	People v. Stephen Cole (Automatic Appeal)

THURSDAY, MAY 27, 2004 – 9:00 A.M

S111780	In re George T.
S113321	People v. Wallace
S115009	In re Jennings on Habeas Corpus

GEORGE  
Chief Justice

**SUPREME COURT CALENDAR  
LOS ANGELES SESSION  
JUNE 1 and 2, 2004**

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Ronald Reagan State Office Building, 300 South Spring Street, 3rd Floor, North Tower, Los Angeles, California on June 1 and 2, 2004.

TUESDAY, JUNE 1, 2004 – 2:00 P.M.

S111585	Rojas v. Superior Court, County of Los Angeles; Coffin
S106718	Sav-On Drug Stores v. Superior Court, County of Los Angeles; Rocher
S007531	People v. Kevin Haley (Automatic Appeal)

WEDNESDAY, JUNE 2, 2004 – 9:00 A.M.

S114811	Reeves v. Hanlon
S117651	People v. Hernandez
S107855	Jonathan Neil & Associates v. Jones - ( <i>Baxter, J., not participating; Spencer, P. J., assigned Justice Pro Tempore.</i> )

1:30 P.M.

S106106	Claxton v. Waters
S109734	People v. Griffin
S117640	Kirkeby v. Superior Court, County of Orange; Fascenelli

GEORGE  
Chief Justice

If exhibits are to be transmitted to this court, counsel must comply with Rule 18(c), California Rules of Court.

